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Regional Freedom of Information Officer
U.S. EPA, Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

RE: FOIA Request

Dear FOIA Officer:

I am writing to request a copy of documents from the Environmental Protection Agency ("EPA") under the Freedom of Information Act (FOIA), 5 U.S.C § 552. These documents relate to the Summit Midstream Partners LLC brine/oil spill that occurred on or about January 7th, 2015 near Blacktail Creek, in Williams County, ND ("Summit spill"). The spill occurred in the vicinity of Latitude: 48.3872474 Longitude: -103.6560305, within T157N, R100W, and has been given the EPA National Response Center incident number of 1106269. For purposes of this FOIA request, the entirety of T157N, R100W is defined as the "spill impact area."

Our firm represents Larry and Joanne Njos, an individual landowner within the spill impact area. If you estimate that copy and search fees will exceed \$250, please inform me first prior to incurring costs related to this request. To save time, paper, and to limit copy costs, we request that all information be provided in electronic format on CD or DVD to the extent possible. Any mailed materials may be sent to:

Baumstark Braaten Law Partners
C/O JJ England
109 North 4th Street, Suite 100
Bismarck, ND 58501

We specifically request the following information:

1. All information describing the location and design of the Summit line involved in the Summit Spill within the area of T157N, R100W;
2. All results of soil and water samples within EPA's possession taken from the spill impact area in response to the Summit spill, including but not limited to:
 - a. Results of three continuous conductivity monitors placed within Blacktail Creek;
 - b. Results of samples from locations described by EPA's on-scene coordinator website as: BT-SW-01, BT-PW-01, BT-SD-01, BT-SD-02, BT-PW-02, BT-SW-

03, BT-SW-05, BT-SD-03, BT-SW-04, BT-SW-02, BT-SW-05, BT-SW-06
(http://www.epaossc.org/site/map_list.aspx?site_id=9716);

3. All documents containing information collected from:
 - a. Geoprobos used to gather data within the spill impact area;
 - b. Piezometers used to collect groundwater chloride samples within the spill impact area;
 - c. Electromagnetic (EM) surveys of the spill impact area;
 - d. Laser-induced fluorescence (LIF)/soil conductivity profiles of the spill impact area.
4. All reports to/from Stantek (responding contractor) characterizing the Summit spill and response to this spill;
5. All documents/reports/records within EPA's possession describing the safety systems installed on the Summit line involved in the Summit spill;
6. All documents/reports/records within EPA's possession describing the cause(s) of the Summit spill;
7. All documents/reports/records within EPA's possession describing damage and/or contamination caused by the Summit spill occurring within the spill impact area;
8. All documents/reports/records within EPA's possession describing quantities of materials released as a result of the Summit spill, including salt water and oil;
9. All documents/reports/records within EPA's possession describing containment and removal activities under the OPA, CERCLA, or any other authority, both planned and actual, of the Summit spill;
10. All documents/reports/records within EPA's possession describing quantities of spill materials recovered/removed in response to the Summit spill, including salt water and oil;
11. All documents/reports/records within EPA's possession describing remediation activities, both planned and actual, of the Summit spill;
12. All documents/reports/records related to EPA approvals to undertake remedial/containment work related to the Summit spill, including:
 - a. Records of any requests to the EPA by any party for EPA approval to undertake remediation and/or containment of the Summit Spill within the spill impact area;
 - b. Records of EPA authorizations to proceed with containment/remediation activities in response to the Summit spill, including authorizations to START teams and authorizations for OPA and/or CERCLA funds;

13. All correspondence, whether in hard-copy or electronic form, to and from the EPA discussing contamination, damage, containment, and remediation of and relating to the Summit spill;
14. Any other documents or correspondence relating to the Summit spill in EPA's possession not previously described above.

Individuals likely to be of assistance in locating the above documents:


- The EPA's on-scene-coordinator for this incident, Mr. Steven Way (way.steven@epa.gov)

As used in this request, "document" and "correspondence" is intended to be construed broadly to encompass all memoranda, letters, e-mail messages, notes, records of meetings or telephone conversations, in any format (including electronic format) whether in preliminary or final form.

Should you decide to withhold any documents because you believe they are exempt from disclosure, please set forth, in detail, the reasons you are claiming the exemption, a description of the document being withheld, and a description of that document's contents. The courts have required agencies to furnish this information when they withhold documents. *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973).

If you have any questions about this request, please contact me at the address or telephone number listed above. Thank you for your assistance in supplying this information. I look forward to your timely reply.

Very truly yours,



JJ England